

REMARKS:

REMARKS REGARDING CLAIMS AMENDMENTS:

Claims 1, 7, and 10 have been amended to overcome a rejection. Claims 5 and 6 have been amended for removal of a redundant phrase. Claims 2, 3, 6, 8, 9 and 11 – 15 are original claims, while claims 16 – 25 were previously presented. Applicants request entry of new claims 26-34 for which support exists in paragraphs [0035] – [0037] of the published version (US 2004/0192348 A1) of the present application.

Claims 1 – 34 are pending in the present invention.

IN RESPONSE TO THE OFFICE ACTION:

REJECTIONS UNDER 35 U.S.C. § 112:

The Office Action indicated rejection of claims 1 and 10 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Rejection of claims 1 and 10 related to use of the term “in view of” in both claims.

Paragraph [0011] of the published version (US 2004/0192348 A1) of the present application clarifies submission of operator and remote object information for processing by the selected central station. Insertion of the word --by-- to replace “in view of” particularly points out and distinctly claims the subject matter which applicants regards as the invention to overcome rejection under 35 U.S.C. §112.

Request is made for reconsideration and withdrawal of the rejection of claims 1 and 10.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 1-18, 20-21 and 23-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marlowe (WO 98/10602) in view of Antonucci et al. (US 6,819,929 B2).

According to the Office Action, Marlowe discloses a system for providing a communication link between a central station and a remote mobile or stationary object. Admitting that Marlowe does not mention that the central station is selected from a number of individual,

different central stations, the Office action relies upon, Antonucci et al. to provide support to Marlowe by teaching that a central station may be selected from a number of individual, different central stations.

In consideration of the rejection, claims 1, 7 and 10 have been amended to add limitation showing that the system and methods for providing the communication link have the capability of preferential handling of an emergency based upon the seriousness of the emergency and the priority assigned to it. Support for the amendment exists in the published application (US 2004/0192348 A1) of the present invention in paragraph [0033].

By way of example, according to the present application, “If for example a driver asks for roadside assistance, the roadside assistance service of the system is activated. If subsequently the driver or a sensor signals an emergency, the roadside assistance is deactivated and the emergency assistance service is activated.” This means that the emergency assistance service overrides the roadside assistance service because it has a higher priority.

The references of Marlowe and Antonucci et al. fail to teach priority handling according to amended claims 1, 7 and 10 of the present application. Lacking such teachings, the references do not provide basis for rejection of claims 1, 7 and 10, as amended and these claims should be allowed. Claims having dependency from claim 1, 7 and 10 should likewise be allowed. Of the dependent claims subject to rejection over the references of Marlowe in view of Antonucci et al., claims 2 – 6 and 16 – 18 either depend from claim 1 or depend from claims dependent on claim 1. Claims 8, 9, 20 and 21 have dependency from claim 7 and claims having dependency from claim 10 include claims 11 – 15, 23 and 24.

For the reasons given above, Marlowe in combination with Antonucci et al. does not render claims for the present invention as obvious. Therefore, applicants request reconsideration and withdrawal of the rejection of claims 1-18, 20-21 and 23-24 under 35 U.S.C. §103(a).

The Office Action also indicated rejection of Claims 19, 22 and 25 under 35 U.S.C. §103(a). Rejected claims were viewed as being unpatentable over Marlow (WO 98/10602) in view of Antonucci et al. (US 6,819,929 B2) and further in view of Licher et al. (US 6,256,489

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B1). Claim 19 is a claim having multiple dependency from claims 1 and 16, claim 22 depends from claim 7 and claim 25 depends from claim 10. For reasons presented above, Marlowe and Antonucci et al. are ineffective as a basis for rejection of claims 1, 7 and 10 for obviousness. Lichter et al. only provides support for a speech transmission link directly between the selected central station and the operator of the remote object. The combined references fail to either teach or suggest preferential handling of an emergency. Claims 1, 7 and 10 include such handling of emergencies and are believed to be patentable as amended. Claims 19, 22 and 25 should likewise be patentable.

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 19, 22 and 25 under 35 U.S.C. §103(a). 0).

Given the above, Applicants request that the rejection of claims 1 - 25 under 35 U.S.C. §103(a) be reconsidered and withdrawn and that the Examiner indicate the allowance of previously rejected claims and new claims 26 - 34 herein in the next paper from the Office.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Order No. 07589.0143.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



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